

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : Bret Baynham et al.
INVENTION : **SPINAL FUSION DEVICE**
SERIAL NUMBER : 10/776,663
FILING DATE : February 10, 2004
EXAMINER : Pedro Philogene
GROUP ART UNIT : 3733
OUR FILE NO. : 2380.004

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION OF September 08, 2006

Sir:

In response to the Office Action dated September 08, 2006 having a shortened statutory period for response set to expire December 08, 2006, kindly amend the above-entitled application as follows, no new matter is added:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims begins on page 9 of this paper.

Amendments to the Drawings begin on page 2 of this paper and include both attached replacement sheets and an annotated sheet showing changes.

Remarks/Arguments begin on page 13 of this paper.

An Appendix including amended drawing figures is attached following page 17 of this paper.